

D. Remarks

The claims are 19-23, with claim 19 being the sole independent claim. Claims 17, 18, 24 and 25 have been cancelled. Claims 20-23 have been amended to depend from claim 19. No new matter has been added. Reconsideration of the present claims is expressly requested.

Applicant submits herewith a substitute specification to correct grammatical, typographical and syntax errors and to better conform the text with proper idiomatic English. No new matter has been added, as can be clearly seen from the changes indicated on the enclosed marked-up copy of the original specification.

Claim 22 is objected to under 37 C.F.R. § 1.75 (c) as being allegedly of improper independent form, because it fails to further limit the subject matter of a previous claim. Specifically, the Examiner mentioned that the previous claim includes the limitation “silica containing fluorine”.

The Examiner will note that claim 19, from which claim 22 now depends, is directed to an optical element that has at least one layer of silica containing fluorine, wherein a refractive index of the layer or layers of silica for F₂ laser light is 1.60 to 1.80. Thus, the limitation “silica containing fluorine” is related to the film provided on the surface of the optical element. Claim 22 states that the optical element itself (e.g., lens) is composed of silica containing fluorine. Therefore, it is clear that claim 22 further limits claim 19. Accordingly, this objection should be withdrawn.

Claims 17-19, 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,952,084 (Anderson) in view of U.S. Patent

No. 5,958,809 (Fujiwara). Claims 20 and 21 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Anderson in view of U.S. Patent No. 6,224,976 (Takushima) and U.S. Patent No. 5,028,967 (Yamada). The grounds of rejection are respectfully traversed.

The presently claimed invention is related to an optical element having a film on its surface, with the film comprising at least one layer of silica containing fluorine. A refractive index of the layer or layers of silica for F₂ laser light is 1.60 to 1.80.

The Examiner has alleged that Anderson teaches the refractive index of silica containing fluorine to be less than 1.63, which is within the presently claimed range. Applicants respectfully disagree.

The Examiner will note that the disclosure in Anderson at column 2, line 65 - column 3, line 14, merely teaches that a refractive index of an aluminum fluoride anti-reflection coating is less than 1.63. This aluminum fluoride coating does not contain any silica. While Anderson, at column 3, lines 29-54, teaches an oxyfluoride film/silicon oxide film, which contains both silica and fluorine, and states that the refractive index of the film can be adjusted as a function of its fluorine content, Anderson is silent with respect to the refractive index of such a film. Clearly, Anderson lacks a disclosure or suggestion that a refractive index of the layer or layers of silica containing fluorine for F₂ laser light is 1.60 to 1.80. Accordingly, Anderson cannot affect the patentability of the presently claimed invention.

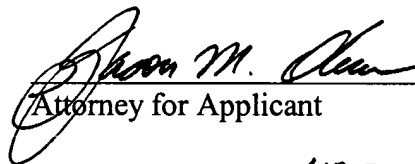
Fujiwara, Yamada and Takushima cannot provide the teachings missing in Anderson. Like Anderson, none of these references discloses or suggests the presently claimed refractive index range.

In conclusion, it is respectfully submitted that the cited references, whether considered separately or in any combination, do not disclose or suggest the combination of elements presently claimed. Wherefore, Applicant respectfully requests that the outstanding objection and rejections be withdrawn and the subject application be passed to issue.

This Amendment After Final Rejection should be entered, because it places the case in allowable form. Alternatively, it places the case in better form for possible appeal.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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